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New York

SUMMARY RECORD OF THE 28th MEETING

Chairman: Mr. HUDYMA (Ukraine)

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The meeting was called to order at 11.30 a.m.

AGENDA ITEM 78: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/C.4/49/L.20-L.23)

1. The CHAIRMAN drew the Committee's attention to the draft resolutions contained in documents A/C.4/49/L.20-L.23.

2. Mr. AL-ATTAR (Syrian Arab Republic) said that, although Israel maintained that peace had been established following its conclusion of separate agreements with a number of Arab States in the Middle East, the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories indicated the opposite. Israel's occupation of Arab territories, including the Syrian Golan, continued, its repression of the local population was intensifying and various measures were being taken to eliminate the original character of those territories, Judaize their population, seize Arab property and use the territories' resources for the establishment of settlements. The Arab population under occupation continued to suffer the effects of Israel's policies and practices, which ran counter to the norms set out in all international instruments. Dwellings, schools, and Arab holy places were being destroyed, the expropriation of water resources was harming Arab agriculture in the Golan, the construction of new settlements was continuing and there were instances of Israelis settling in Syrian homes.

3. It was therefore surprising that, despite an intensification of international efforts to move the peace process forward, the Israeli Government continued to encourage Israeli factions that supported the establishment of settlements in the Syrian Golan Heights. The aim in so doing was to create a movement among the settlers opposed to the withdrawal from the Golan and to strengthen the corresponding lobby in the Knesset. It was not surprising, then, that, as noted in paragraph 468 of the Special Committee's report (A/49/172), the Israeli Government planned to hold a plebiscite if it decided to make substantial territorial concessions to the Syrian Arab Republic as part of a comprehensive peace settlement. Such an approach to a plebiscite was unique in the history of international relations. History offered no examples of a Government that occupied a foreign territory making the return of that territory to its lawful owners and the establishment of peace with its neighbours conditional on the holding of a plebiscite among the occupiers. One could only wonder whether occupation now conferred proprietary rights. Such an approach was counter to all the norms of international legality.

4. The struggle against foreign occupation was a legitimate right that was enshrined in the Charter of the United Nations and the norms of international law. Accordingly, opposition by the population of the Syrian Arab Golan to Israel's occupation and arbitrary practices would continue and would end only with that country's total withdrawal from the Golan.

5. The Special Committee was quite right to express concern in its report at Israel's continued serious violations of the fundamental and most basic human rights of the population of the occupied territories. The call for the taking of immediate steps to guarantee the effective protection of the fundamental rights and freedoms of those inhabitants was also justified, as was the claim that the occupation in itself constituted a violation of human rights.

6. It was now clear to the whole world that Israel would stop its unlawful actions only when its occupation of the Arab territories had been brought to an end. The Syrian Arab Republic was prepared for the establishment of a just and comprehensive peace that would guarantee the cessation of Israel's occupation of the Golan and other occupied Arab territories and the right of the Palestinian people to self-determination, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and in keeping with the principle of land for peace. Yet Israel continued to occupy Arab lands and erect obstacles to the peace process begun at Madrid more than three years before; it continued to violate human rights and did not refrain from resorting to terrorism, thereby contravening the United Nations Charter and other international instruments. Under those conditions, the international community and the Special Committee must be more vigilant and active than ever before.

7. His delegation believed that the achievement of peace was a strategic goal and looked forward to the day when a comprehensive, just and lasting peace would be established in the Middle East and form the basis of prosperity and a dignified life for the Arab peoples.

8. Mr. ABDERAHMAN (Egypt) said that the Fourth Committee was taking up the agenda item at an extremely important moment in the history of the Organization's consideration of the question of Palestine: during the preceding year, the parties to the Middle East peace process had made further tangible progress in the Palestinian-Israeli talks. The Agreement on the Gaza Strip and the Jericho Area had been concluded, and Jordan had signed a peace treaty with Israel. Currently, efforts were being made to achieve progress in other areas covered by the talks.

9. Consequently, there had been radical changes in the Arab-Israeli conflict. all sides had agreed to initiate a peace process on the basis of Security Council resolutions 242 (1967) and 338 (1973) which provided for the total withdrawal of Israeli forces from all Arab territories occupied since 1967 with a view to peace between all sides, and the need for Palestine to exercise its rights as a nation had been recognized.

10. As a result of those developments, there had been a radical change in the situation in the occupied territories, which was reflected in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. The most important element of the peace process was the agreement to end the occupation and begin the Israeli withdrawal from the Gaza Strip and the Jericho Area. His delegation hoped that Israel's total withdrawal from those territories would

take place as soon as possible and that there would no longer be a need for the Special Committee's services.

11. His delegation wished to thank the Chairman and the members of the Special Committee for preparing the report which had been submitted to the Fourth Committee for consideration. The document recounted positive developments during the reporting period: a de-escalation of military activities, the return of a number of displaced persons and the release of several Palestinian prisoners. As the report made clear, Israel continued to engage in activities that were inconsistent with its obligations as the occupying Power under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

12. The continued existence of settlements was a fundamental source of tension and instability in the occupied territories. During the reporting period, no new settlements had been established, but existing ones had been expanded. Mention was also made in the report of acts of violence perpetrated by settlers and of the fact that perpetrators had gone unpunished. Israel must severely punish the perpetrators of such acts and must not restrict the access of Palestinians to places they considered holy, which would be a violation of the Geneva Convention. Confidence must be built between the two sides, and if Israel continued to claim that it had not taken part in the acts described in the report, the prospects of the peace process would be adversely affected.

13. Egypt had always warned of the danger of a deterioration in the economic situation of the Palestinians in the occupied territories, and now called upon Israel to refrain from measures that would aggravate the situation and to offer assistance to raise the Palestinians' living standards.

14. His delegation hoped that the following year's report would reflect new positive developments and confidence-building measures; it likewise called upon Israel to cooperate with the Special Committee.

15. Mr. DOUDECH (Tunisia) said that a prerequisite for guaranteeing the peace process in the Middle East was to ensure peace between the parties and to establish new norms as the basis for mutual understanding and peaceful coexistence in the region. His delegation welcomed the positive changes which had recently occurred in connection with the signing of a number of bilateral agreements, particularly the transfer of powers to the Palestinian Authority.

16. The violation of the rights of the Arabs, who were still living under conditions of occupation, aroused deep concern. So long as the occupation continued, Israel must abide by the fourth Geneva Convention of 12 August 1949 and other instruments in the field of human rights.

17. His delegation noted with satisfaction the release of several Palestinian detainees and hoped that punitive measures in the territories would be attenuated and that repression would cease. It also hoped that an agreement would be concluded on the future of the settlements.

18. The Israeli authorities should take steps to protect Palestinian property and to ensure respect for the rights of the Palestinian people. That would have a favourable influence on the peace process in the region.

19. Tunisia hoped that, in the following year, peace and security would be ensured throughout the Middle East region.

20. Mr. MORENO FERNANDEZ (Cuba), introducing draft resolutions A/C.4/49/L.20-L.23 (draft resolutions A-D, respectively), said that at the previous session, the draft resolutions on the item had been revised to reflect the events which had taken place in the peace process in the Middle East and the changes which had occurred. The number of draft resolutions submitted had been reduced from seven to four. At the current session, the sponsors had reviewed the wording and content of the draft resolutions. However, they had retained certain basic elements relating to the continued violations by Israel of the human rights of the Palestinian people and other Arab peoples in the occupied territories, as well as principles which the sponsors considered to be fundamental.

21. Briefly reviewing the content of the draft resolutions, he said that during consultations on draft resolution C (A/C.4/49/L.22), agreement had been reached to replace paragraph 2 with the following:

> "2. Reaffirms in particular that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967 are illegal and are an obstacle to a comprehensive settlement."

22. The sponsors hoped that, if it was impossible for the draft resolutions to be adopted by consensus, they would receive an overwhelming majority of votes.

23. The CHAIRMAN said he took it that the Committee was ready to take action on draft resolution A/C.4/49/L.22, as orally revised.

24. It was so decided.

25. The CHAIRMAN said that Bahrain, Bangladesh and Brunei Darussalam had joined the sponsors of draft resolutions A/C.4/49/L.20-L.23.

26. Mr. SHAKED (Israel), speaking in explanation of vote before the vote, said that his delegation would vote against all the draft resolutions under item 78, and called upon other Member States to do the same. The four draft resolutions under the item once again demonstrated that certain United Nations resolutions did not take into account the rapid pace of events in the Middle East. In addition, the draft resolutions relating to that agenda item contradicted the understandings reached and the agreements signed by Israel and the Palestine Liberation Organization (PLO) since September 1993. On the sensitive issue of the Golan Heights, any interference from outside the Israeli-Syrian bilateral negotiations would only aggravate the situation and might harm the prospects of the direct negotiations, which should lead to a solution of the problem. For

all those reasons, Israel firmly believed that the Special Committee should be disbanded and that resolutions should no longer be adopted under the item.

Draft resolution A/C.4/49/L.20

27. A recorded vote was taken.

In favour: Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Bulgaria, Canada, Congo, Côte d'Ivoire, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

28. Draft resolution A/C.4/49/L.20 was adopted by 76 votes to 2, with 54 abstentions.

Draft resolution A/C.4/49/L.21

29. A recorded vote was taken.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Cuba, Cyprus, Czech Republic,

Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Côte d'Ivoire, Gabon, Marshall Islands, Micronesia (Federated States of), Russian Federation.

30. Draft resolution A/C.4/49/L.21 was adopted by 127 votes to 2, with 5 abstentions.

Draft resolution A/C.4/49/L.22

31. A recorded vote was taken on draft resolution A/C.4/49/L.22.

In favour: Algeria, Andorra, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone,

Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Barbados, Congo, Côte d'Ivoire, Gabon, Jamaica, Marshall Islands, Micronesia (Federated States of), Nicaragua, Nigeria, Papua New Guinea, Peru, Russian Federation.

32. Draft resolution A/C.4/49/L.22, as orally revised, was adopted by 119 votes to 2, with 13 abstentions.

33. Mr. GATILOV (Russian Federation) said that consideration of all aspects of the Middle East problems in the United Nations should help to create an atmosphere of trust favouring further progress in the peace process through negotiations in the Middle East. In that connection, his delegation wished to point out that at the current session the sponsors of the draft resolutions submitted under agenda item 78 had carried out certain useful work in bringing the content of some of them into accordance with the new political realities in the region. At the same time, the draft resolutions still retained a number of one-sided views concerning the reasons for the violence and instability in the occupied territories. Furthermore, the draft resolutions under consideration dealt with substantive questions relating to a Middle East settlement which were under discussion at bilateral Arab-Israeli negotiations, and their consideration at that session could only complicate those negotiations. Accordingly, the Russian delegation had abstained in the vote on the draft resolutions referred to.

34. Mr. PARKER (United States of America) said that the situation surrounding the territories had changed dramatically since the signing of the Declaration of Principles and subsequent agreements, and the Governments of Israel and Jordan and the Palestine Liberation Organization should be congratulated for demonstrating the will and determination to solve problems through negotiations.

35. The United States remained committed to the goal of achieving a comprehensive, just and lasting peace settlement through direct negotiations based on Security Council resolutions 242 (1967) and 338 (1973). The work of the United Nations should be directed towards encouraging the parties to maintain the peace process without outside interference, and the General Assembly should not prejudge the outcome of negotiations through resolutions which favoured the position of only one of the parties. The parties themselves had wisely agreed that a number of final-status issues must be left to a later stage in view of their complexity.

36. The United States had a strong interest in the human rights situation in the occupied territories, but considered it unproductive to debate the legalities of the settlement issue since that diverted attention from the real task of promoting peace.

37. While some effort had been made to moderate the language of the draft resolutions, many of the phrases were still divisive and unhelpful and contributed to the image of the General Assembly as being out of step with the realities on the ground.

38. The position of the Special Committee to Investigate Israeli Practices was biased, superfluous and unnecessary; its budget would be better spent elsewhere, helping the Palestinian people to improve their living standard. In saying that, he reaffirmed that all parties exercising authority in the West Bank and Gaza had an obligation to respect scrupulously international human rights standards.

39. Lastly, the United States would continue to oppose references such as "occupied Palestinian territory, including Jerusalem". His delegation had voted against draft resolution A/C.4/49/L.21 because it contained that phrase. Those phrases were constructed with political purposes and had no effect whatsoever on issues of sovereignty or the political arrangements in the territories, which could be decided upon only by the parties through direct negotiations.

40. Mr. BARRETO (Peru) said that his country had abstained in the votes on draft resolutions A/C.4/49/L.20 and L.22 because they did not reflect the important success achieved in the Middle East peace process over the past year and thus did not help to establish a suitable atmosphere in the region.

41. Mr. SAMADI (Islamic Republic of Iran) said that, although his delegation had voted in favour of draft resolutions A/C.4/49/L.20 and L.22, it had reservations about any provisions in the texts that might be interpreted as implying any recognition of Israel.

42. Mr. GRIFFIN (Australia) said that, in spite of the recent progress in the peace process, his country was still concerned about the human rights situation in the occupied territories. In particular, some actions by Israel were not in accordance with internationally recognized standards and thus impeded the establishment of real, large-scale cooperation within the framework of the peace process. Maintaining its commitment to that process, Australia hoped that the complete implementation of the Declaration of Principles, signed by Israel and the Palestine Liberation Organization, would obviate the need to consider similar resolutions at subsequent sessions of the General Assembly.

43. Mr. JANSEN (Canada) said that his country remained committed to the principle of the applicability of the fourth Geneva Convention to all the territories occupied since 1967. The previous year, Canada had abstained in the vote on draft resolution C since its wording had not fully corresponded to what had been achieved within the framework of the Madrid process. At the current session, his delegation had been able to vote in favour of the draft resolution,

whose text contained revisions which more accurately reflected the progress made.

44. Mr. RUDOLPH (Germany), speaking on behalf of the European Union, Austria, Finland and Sweden, welcomed the significant improvement of the text of the resolutions that had just been adopted in comparison with the resolutions of previous years. At the same time, the member States of the European Union had been unable to vote for draft resolution A regarding the Special Committee's mandate. They had submitted a proposal on amending the Special Committee's mandate which was designed to ensure that its reports took account of the new situation that had developed. If that was done, the member States of the European Union would subsequently be able to vote for the relevant draft resolution.

45. It was to be noted with satisfaction that the text of draft resolution C had been significantly improved and that it addressed issues of concern to the European Union. Such an approach ensured that its Member States would vote for the draft.

46. Mr. AL-NIMA (Iraq) said that his delegation had voted for all the draft resolutions, but it had reservations regarding the seventh preambular paragraph of draft resolution C.

AGENDA ITEM 77: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/C.4/49/L.13-L.19)

47. The CHAIRMAN drew the Committee's attention to the draft resolutions contained in documents A/C.4/49/L.13-L.19.

48. Mr. RUDOLPH (Germany), speaking on behalf of the European Union, Austria, Finland and Sweden, said that from the beginning the European Union had welcomed and supported the signing of the Declaration of Principles between Israel and the Palestine Liberation Organization (PLO), which had opened the door for a final settlement of one of the most painful problems of the Middle East conflict, that of the refugees. The European Union was ready to pursue its active, constructive and balanced role in support of the peace process. At the same time the European Union believed that it was up to the parties themselves to determine the conditions for a settlement on the basis of Security Council resolutions 242 (1967) and 338 (1973).

49. The United Nations welcomed the activity of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), believing that the Agency had a crucial role to play during the period of transition until Palestinian self-rule was fully implemented.

50. The European Union was glad to submit draft resolution A/C.4/49/L.13 entitled "Assistance to Palestine refugees" and called upon all Member States to continue and increase their support for the Agency, whose financial situation remained a matter of concern, thus enabling it adequately to support the peace

process with a view to bringing peace and prosperity to the Palestinian refugees in the Middle East.

51. Ms. MINDERHOUD (Netherlands), speaking on behalf of the sponsors of draft resolution A/C.4/49/L.14, said that although it was extremely traditional in format, that fact did not diminish its importance. The draft addressed UNRWA's financial situation, and specifically the need to step up efforts to support the Agency's activities. It was pleasing to note that it would be possible to adopt the draft by consensus.

52. Mr. JUSUF (Indonesia), speaking on behalf of the sponsors of draft resolutions A/C.4/49/L.15-L.19, said that during the current year they had submitted only five draft resolutions on UNRWA, whereas the previous year they had submitted nine draft resolutions under that item, seven of which were put to a vote. Significant efforts had been made to consolidate and streamline the traditional resolutions, thus making the package more concise while ensuring that it remained comprehensive. Resolutions concerning UNRWA had always received the full support of the international community. He summarized the contents of the five draft resolutions. With regard to draft resolution A/C.4/49/L.17, he noted that it made reference for the first time to UNRWA's Advisory Commission, the Peace Implementation Programme and the agreement reached between UNRWA and the PLO, as well as UNRWA's important role in providing protection for Palestinian refugees and the need for respect for the relevant articles of the Charter and the Convention on the Privileges and Immunities of the United Nations.

53. The CHAIRMAN said that draft resolution A/C.4/49/L.13 had in addition been sponsored by Bangladesh and Malaysia, L.14 by Portugal and the Philippines, L.15 by Bangladesh, Brunei Darussalam and Indonesia, L.16 by Bangladesh, Brazil, Brunei Darussalam and India, L.17 by Bangladesh, and L.18 and L.19 by Bangladesh and Brunei Darussalam.

54. Mr. SHAKED (Israel), speaking in explanation of vote before the vote, said that despite the radical changes that had taken place during the past year in Israeli-Arab relations, the United Nations had not yet found a way to rid itself of obsolete resolutions and outdated language and take into account the new reality in the Middle East. Israel supported the call to assist Palestinian refugees and in that respect had cooperated fully with UNRWA in humanitarian matters, but when considering resolutions related to political issues that were irrelevant to UNRWA's work, Israel could not lend its support to their adoption. Furthermore, Israel considered it imperative to oppose any resolution which was at variance with the provisions of the agreements between Israel and the PLO. For those reasons, Israel would abstain from voting on draft resolutions L.13 and L.16 and would vote against draft resolutions L.15, L.17, L.18 and L.19. While regretting that it had proved impossible to reach consensus on more than one draft resolution, Israel would join the consensus only on draft resolution L.14.

Draft resolution A/C.4/49/L.13

55. A recorded vote was taken on draft resolution A/C.4/49/L.13.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Micronesia, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel, Lebanon, Marshall Islands, Syrian Arab Republic, United States of America.

56. Draft resolution A/C.4/49/L.13 was adopted by 130 votes to none, with 5 abstentions.

Draft resolution A/C.4/49/L.14

57. Draft resolution A/C.4/49/L.14 was adopted without a vote.

Draft resolution A/C.4/49/L.15

58. A recorded vote was taken on draft resolution A/C.4/49/L.15.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde,

Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Japan, Marshall Islands, Micronesia (Federated States of).

59. Draft resolution A/C.4/49/L.15 was adopted by 130 votes to 2, with 3 abstentions.

Draft resolution A/C.4/49/L.16

60. A recorded vote was taken on draft resolution A/C.4/49/L.16.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea,

Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

61. Draft resolution A/C.4/49/L.16 was adopted by 135 votes to none, with 1 abstention.

Draft resolution A/C.4/49/L.17

62. A recorded vote was taken on draft resolution A/C.4/49/L.17

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Japan, Marshall Islands, Micronesia (Federated States of), Russian Federation.

63. Draft resolution A/C.4/49/L.17 was adopted by 129 votes to 2, with 4 abstentions.

Draft resolution A/C.4/49/L.18

64. A recorded vote was taken on draft resolution A/C.4/49/L.18.

In favour: Algeria, Andorra, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Fiji, France, Gabon, Ghana, Greece, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Spain, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Italy, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

65. Draft resolution A/C.4/49/L.18 was adopted by 91 votes to 2, with 40 abstentions.

Draft resolution A/C.4/49/L.19

66. A recorded vote was taken on draft resolution A/C.4/49/L.19.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam,

Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe.

Against: Israel, United Republic of Tanzania.

Abstaining: Japan, Russian Federation.

67. Draft resolution A/C.4/49/L.19 was adopted by 129 votes to 2, with 2 abstentions.

68. Mr. AL-ATTAR (Syrian Arab Republic) said that his delegation had abstained in the vote on draft resolution A/C.4/49/L.13 because the last preambular paragraph and operative paragraph 3 referred to the transfer of the headquarters of UNRWA from Vienna to Gaza. The Syrian Arab Republic had stated its concern on that account in an official memorandum addressed to the Secretary-General and the Commissioner-General of UNRWA. The decision on the transfer had been taken without consulting the Syrian Arab Republic, which was one of the main host countries for Palestinian refugees and played an important role in the work of the UNRWA Advisory Commission. In addition, the headquarters could not be located in a place where some of the parties involved in the work of UNRWA could not go.

69. Mr. GATILOV (Russian Federation) said that his delegation welcomed the constructive tone and the business-like approach which had characterized the Committee's consideration of the UNRWA item at the present session. The Russian Federation fully supported the humanitarian activities of UNRWA and believed that the Agency could do much to translate the provisions of the Declaration of Principles into a reality, in particular by delivering technical and economic assistance and helping with the training of national Palestinian personnel. The

sponsors of the draft resolutions had made considerable efforts to reduce the number of texts and invest them with a practical content. However, the Russian delegation believed that certain provisions of some of the draft resolutions went beyond the strictly humanitarian aspects of the work of UNRWA. That applied in particular to draft resolutions A/C.4/49/L.17, L.18 and L.19, which touched on fundamental issues of a Middle East settlement which were the subject of bilateral Arab-Israeli negotiations, and the consideration of such issues in the Committee could only complicate the negotiations. The Russian delegation had therefore abstained in the votes on the draft resolutions in question.

70. Mr. PARKER (United States of America) said that the United States strongly supported the activities of UNRWA and its humanitarian programmes and had been pleased to join in the traditional consensus on draft resolution A/C.4/49/L.14. The United States delegation had also voted in favour of draft resolution A/C.4/49/L.16, which reflected a practical approach to meeting the higher education needs of refugees. However, it had done so with a reservation concerning the proposal for a University of Jerusalem "Al-Quds" since it raised issues beyond the sphere of education. It also registered strong exception to the phrase "Palestinian territory occupied by Israel since 1987", for it was in no way indicative of sovereignty or of the final political arrangements for the territories, which would be decided by the parties in direct negotiations.

71. The United States had a long record of strong support for UNRWA and was its largest donor. It commended the Agency's work in health, education, training and refugee relief; ideally it would have wished to vote in favour of all the resolutions relating to the work of UNRWA.

72. However, the United States did not want the resolutions to be used for political purposes. The General Assembly had yet to recognize fully what the parties to the current negotiations, the PLO and Israel, had themselves agreed - that there was a number of issues which were to be addressed by the two parties only at an agreed time in the future.

73. The United States had again voted against the resolutions which prejudged the outcome of the negotiations, including the ones on such complex issues as refugees, settlements and Jerusalem, or the ones which continued to dwell on alleged violations by one party to the negotiations while totally ignoring the progress achieved.

74. The United States Government agreed that the status and future of the Palestinian refugees was one of the central issues to be resolved in the negotiations and remained committed to achieving a satisfactory outcome of the question. The United States delegation noted that the Declaration of Principles provided for a committee to deal with the issues of persons displaced from the West Bank and Gaza in 1967. At the same time it supported the efforts to deal with some aspects of the refugee situation now and it was playing an active role in the work of the Multilateral Working Group on Refugees.

75. The United States strongly supported a number of aspects of draft resolution A/C.4/49/L.13, and its decision to abstain in the vote reflected its

desire to avoid focusing on issues which divided or polarized. The parties differed on key aspects of the refugee problem and they would address their differences at the negotiating table; the General Assembly should encourage and support them in that undertaking.

76. Despite the progress in eliminating some of their outdated language and sections which had nothing to do with the daily work of UNRWA, the draft resolutions did not fully reflect the dramatic breakthroughs in the Middle East peace process.

77. It was now necessary to focus on efforts which supported the Agency's work of improving the living conditions of the Palestinian refugees. That was a worthwhile goal which did not compromise the positions which the parties might adopt in the negotiations. People could live in better conditions and still pursue their political goals through the process of negotiation, and the task of the world community was to support UNRWA as it did that work without complicating or prejudging the negotiation process.

78. Mr. ASHIKI (Japan) said that the Japanese delegation had two comments on draft resolution A/C.4/49/L.13, which had just been adopted. Firstly, with regard to paragraph 1, it should be noted that the refugee problem would be discussed by the parties during the negotiations provided for in the Declaration of Principles. Secondly, with regard to paragraph 3, Japan's understanding was that the Secretary-General would consult the Commissioner-General of the Agency fully on the question of the transfer of its headquarters.

79. Mr. SAMADI (Islamic Republic of Iran) said that the Iranian delegation had joined in the consensus on draft resolution A/C.4/49/L.14 and had voted in favour of draft resolutions A/C.4/49/L.15 to L.19, but it entered a reservation about any provisions in the texts which could be interpreted as constituting any kind of recognition of Israel.

80. Mr. MOHAMED (Sudan) said that the Sudanese delegation had voted in favour of the UNRWA draft resolutions although it had reservations about the preamble of draft resolution A/C.4/49/L.13.

81. Mr. AL-NIMA (Iraq) said that the delegation of Iraq had voted in favour of all the draft resolutions on the work of UNRWA, but it had reservations about the third preambular paragraph of draft resolution A/C.4/49/L.13 and the fifteenth preambular paragraph of draft resolution A/C.4/49/L.17.

82. Mr. AL-KIDWA (Observer for Palestine) said that his delegation was grateful to everyone involved in the adoption of the resolutions under agenda items 77 and 78, as well as to UNRWA and the Special Committee. The adoption of the draft resolutions would foster the cause of the Palestinian people and the peace process - provided that the other side drew the proper conclusions from the resolutions and brought its conduct into line with the wishes of the international community. It was heart-warming to note that an overwhelming majority of votes had been cast in favour of the draft resolutions, although there had also been some surprises.

83. The negative shift of opinion with regard to the applicability of the Fourth Geneva Convention to the occupied territories was a matter for concern. The fact that the shift had occurred immediately before the voting was a bad sign and certainly did not serve the purposes of the peace process. Negatively worded explanations of vote were tantamount to votes against. It was deplorable that Israel stuck stubbornly to its position while the Arab position was dynamic. The process must be a bilateral one. The problem with Israel's position was that it believed that the mere commencement of the peace process relieved Israel of any feeling of responsibility. However, the Palestinian delegation believed that the negotiations on the final settlement must in no way lead to a weakening of the position of the international community, which was based on the principles of the Charter of the United Nations and of international law. It was to be hoped that Israel would review its position more seriously.

84. It was also to be hoped that the few delegations which wanted the Palestinians to exercise restraint in their thirst for peace would also review their positions. Another matter for concern was the negative development manifest in the way certain fraternal Arab States had voted on the first and strategically important UNRWA resolution. The Palestinian delegation would have liked the elaboration of a common position on all the resolutions to have been preceded by an opportunity for it to address the group of Arab States in the United Nations.

85. The CHAIRMAN said that the Committee had thus concluded his consideration of item 77.

The meeting rose at 1.25 p.m.